

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON M. MALIK,

Plaintiff,

vs.

Case No. 16-10477
HON. GEORGE CARAM STEEH

EQUIFAX INFORMATION
SERVICES, LLC et al.,

Defendant.

/

ORDER DENYING PLAINTIFF'S MOTION TO STRIKE
DEFENDANT'S AFFIRMATIVE DEFENSES (DOC. 36)

This matter is presently before the Court on plaintiff's motion to strike the affirmative defenses of defendant RAC Acceptance East, LLC d/b/a Acceptance Now (RAC). (Doc. 36). Plaintiff's motion was filed on May 20, 2016. RAC's motion to dismiss and compel arbitration, (Doc. 31), was pending at that time. On July 19, 2016, the Court issued an order granting in part and denying in part Defendant RAC Acceptance East, LLC d/b/a Acceptance Now's (RAC) motion to dismiss and compel arbitration. (Doc. 47). The Court did not dismiss the claims against RAC, but stayed the proceedings, "to the extent that they concern defendant RAC," and ordered

“that any threshold arbitrability challenges raised by plaintiff be arbitrated in accordance with the terms of the arbitration agreement.” (*Id.* at 12).

Accordingly, plaintiff’s motion to strike RAC’s affirmative defenses is DENIED without prejudice.

IT IS SO ORDERED.

Dated: January 19, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on January 19, 2017, by electronic and/or ordinary mail and also on Jason Malik, 13621 Jenny Dr., Warren, MI 48088.

s/Marcia Beauchemin
Deputy Clerk